

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 11, 2023

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CAMMY DAWN B.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 1:22-CV-3138-RMP

ORDER GRANTING PARTIES'
STIPULATED MOTION TO
REMAND

BEFORE THE COURT is the parties' Stipulated Motion to Remand pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 16. Plaintiff Cammy Dawn B.¹ is represented by attorney D. James Tree. The Commissioner of Social Security is represented by Special Assistant United States Attorney Thomas E. Chandler.

After consideration, **IT IS HEREBY ORDERED** that the parties' Stipulated Motion for Remand, **ECF No. 16**, is **GRANTED**. Pursuant to the parties'

¹ The Court uses Plaintiff's first name and last initial to protect her privacy.

1 stipulation, the Commissioner’s final decision is **reversed and remanded** under
2 sentence four of 42 U.S.C. §405(g). *See* ECF No. 16 at 1–3. On remand, the
3 Appeals Council will refer the case to an Administrative Law Judge (“ALJ”) to:

- 4 • Reevaluate the medical opinion evidence;
- 5 • Reevaluate the residual functional capacity as necessary;
- 6 • If warranted, obtain supplemental vocational expert testimony to
7 determine whether there are jobs that exist in significant numbers in the
8 national economy that Plaintiff can perform with his residual functional
9 capacity;
- 10 • The Appeals Council will remand the case to an ALJ, who will offer
11 Plaintiff an opportunity for a hearing; and
- 12 • Issue a new decision on the issue of disability since September 16,
13 2019, the date Plaintiff’s application was filed.

14 Upon proper presentation, this Court will consider Plaintiff’s application for
15 costs and attorney’s fees under 28 U.S.C. §§ 1920, 2412(d).

16 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
17 Order and provide copies to counsel, enter judgment in favor of Plaintiff, and **close**
18 **the file.**

19 **DATED** April 11, 2023.

s/ Rosanna Malouf Peterson
20 ROSANNA MALOUF PETERSON
21 Senior United States District Judge